

REMARKS

The specification has been amended at pages 34 and 52 to correct typographical errors.

Support for the correction to page 34 can be found in original WIPO publication No. WO 2004/037885 at page 20, lines 25-27, according to Applicants, and also in original claim 2. Applicants appreciate the Examiner pointing out this inconsistency between the specification and claim 2.

Support for the amendment to page 52 can be found in Table 2-1 on page 55/1, under "Epoxy resin" in Example 1.

It is believed that the above amendment to page 34 avoids the objection to the specification and the rejection of claim 2 under 35 U.S.C. §112, first paragraph.

In the Office Action, the Examiner continued to reject claims 1-3, 5-6 and 9-23 under 35 U.S.C. §102(b) for being anticipated by Ishimura.

A limitation in claim 1 is that the total amount of chlorine in the epoxy resin is not more than 400 ppm. While Ishimura does not disclose such a limitation, the Examiner believes it is inherently disclosed because the reference does not disclose using any chlorine compounds and some of the Examples of the reference are the same as those of this application, the Examiner referencing Example 2 of both.

As disclosed in "Manufacturing Example 1" on page 48, lines 10 to 13 and Table 1 on page 49 of the specification, the total amount of chlorine in the epoxy resin is reduced by a dechlorination reaction to less than 400 ppm. As a result, the present invention can provide a capsule curing agent which comprises a core having the feature that the amount of chlorine in the epoxy resin is less than 400 ppm. As noted, Ishimura is silent about the amount of chlorine. However, it is well known in the art that when

producing an epoxy resin, compounds containing chlorine occur from various side reactions. In this regard, please see item (iv) on page 23 and figure 3 of Vol. 1 of "Epoxy Resins" issued by the Japan Society of Epoxy Resin Technology on November 19, 2003. A partial copy of the document with a partial English translation is attached as Exhibit A.

Unless the dechlorination reaction is conducted, side reaction products such as compounds containing chlorine remain in the epoxy resin.

To demonstrate that the total amounts of chlorine in the epoxy resin AER-331 on page 12, lines 37-43 of Ishimura is more than 400 ppm, enclosed is a Declaration of Yoshikimi Kondo that sets forth experiments he conducted on this resin. As shown in the Declaration in paragraph (V), the total of amount of chlorine in the epoxy resin AER-331 of Ishimura was 1500 ppm.

Thus, it is apparent that Ishimura does not inherently disclose the limitation in claim 1 that "a total amount of chlorines in the epoxy resin is not more than 400 ppm."

Additionally, as shown in the comparative data of Table 1 in the Declaration, advantageous effects are obtained when the total amount of chlorine in the epoxy resin is less than 400 ppm. More particularly, these are storage stability of the epoxy resin composition and the curability of it.

Accordingly, it is not believed that claim 1 or claims 2, 3, 5, 6 or 9-23 dependent therefrom are anticipated by Ishimura. With respect to the last paragraph on page 4 of the Office Action, it is believed that 1) Applicants have provided the required evidence to support their position and 2) the disclosure of the dechlorination reaction on page 48,

lines 10-13 of the specification is the necessary teaching of how to obtain a composition with this property.

Withdrawal of Ishimura as a ground of rejection of the claims under §102(b) is therefore requested.

It is believed claims 1-3, 5, 6 and 9-23 are in condition for allowance.

In view of the foregoing remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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Dated: June 26, 2008

By: 

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Attachments:

Exhibit A: Partial copy and English translation of "Epoxy Resins" issued by the Japan Society of Epoxy Resin Technology on November 19, 2003.

Declaration of Yoshikimi Kondo

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